

**A GUIDE TO
MAKING CHILD-FOCUSED
PARENTING TIME DECISIONS**



***Prepared by The Court Services Advisory Committee of the
Maine District Court***

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Advisory Task Force on Visitation and Child Support Enforcement and the
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Purpose

Unless special circumstances exist, children generally fare best when they have the emotional support and ongoing involvement of both parents. Ongoing parental involvement fosters positive parent-child relationships and healthy emotional and social development. It is also beneficial to parents because it makes it more likely that the parents will have positive relationships with their children when the children become adults.

For parents who do not live together, it is important to cooperate with each other for the benefit of the children. Children adjust more easily to crisis and loss if their parents work together to develop healthy ways of communicating, resolving problems, and reducing conflict. It is important for parents to remember that formation of a positive parent-child relationship is a life-long process. The key to a successful parent-child relationship is the quality of time, rather than the quantity of time, spent together.

Establishing a parenting time schedule is an area where parents may experience conflict. This pamphlet is designed to assist parents in creating parenting time schedules that focus on their children's developmental needs from infancy through adolescence. It offers key tasks that children normally accomplish at each stage of development, and then offers suggestions for parenting time practices aimed at promoting healthy development at each developmental stage. Emphasis is placed on the importance of parents accommodating their children's needs by creating parenting time schedules that are routine and predictable, and yet flexible enough to change in frequency and duration to accommodate their children's changing needs, as they grow older.

Parents are encouraged to recognize that a parenting time schedule that is best for one child may not be best for the child's brothers and sisters. Parents are also encouraged to understand that parenting time schedules that are best for their children may not be best for the parents. For the best interests of their children, parents may need to tolerate disruption of their own schedules and more or less parenting time than they might otherwise choose. Many parents may also need to address their own feelings of loss, envy, anger, or disappointment when setting parenting time schedules that are best for their children.

Assumptions

The information in this pamphlet is based upon the following assumptions:

- The child will benefit from ongoing and active contact with both parents.
- The parents share parental rights and responsibilities.
- Both parents are fit to parent the child.
- Both parents are willing and able to parent the child.
- Child abuse, domestic violence, and chemical dependency issues do not exist.

When parents are unable to shield their children from their conflict, or when there are safety issues resulting from domestic violence, serious physical or mental illness, chronic neglect, chemical dependency or allegations of sexual abuse, the time-sharing plans in this booklet need to be modified.

Limitations

The information in this pamphlet:

- **DOES NOT** replace or change any parenting time schedule agreed upon by the parents or set forth in a court order.
- **DOES NOT** prohibit or limit parents, case management officers, or judges from establishing parenting time schedules that differ from those recommended in this pamphlet.
- **DOES NOT** mandate a minimum or maximum amount of parenting time times.
- **DOES NOT** apply to all families or to all children in all circumstances.
- **IS NOT** "the law" and, while they are encouraged to do so, parents are not required to follow the parenting time suggestions in this pamphlet.

Special Situations

The parenting time suggestions in this pamphlet may not be appropriate if there is genuine concern about a child's emotional or physical safety when with a parent. The parenting time suggestions in this pamphlet may not apply, or may need to be adjusted, if any of the following special situations exist:

- Physical, sexual, or emotional child abuse has occurred.
- Domestic violence has occurred between the parents or between a parent and child.
- Drug or alcohol abuse has occurred.

Child Abuse, Domestic Violence, and Chemical Dependency

Parents who have valid concerns for the safety of their children or themselves should seek help from, a domestic violence

agency, the Department of Health and Human Services, or a local social services agency, child psychologist or an attorney

When a Parent Has Been Absent

When a parent, for whatever reason, has never been a part of the child's life or has not had any contact with the child for an extended period of time either in person, by phone, or in writing, both parents should consider the possible problems the child may have if lengthy or overnight parenting time were to start right away. Instead, the parenting time schedule should gradually re-introduce parent and child, taking into consideration the child's stage of development and the child's ability to transition well to parenting time with the parent.

What Parents Can Do to Help

Keep Children Out of the Middle

- **Parents can keep their children out of the middle of adult issues by not using the children as messengers.** Sometimes the message is something as innocent as a reminder that the child must take her medication before bedtime. Other times, the message may be that the child support payment will be late. Unfortunately, we all know what happens to the bearer of bad news. If the message was difficult for one parent to say directly to the other parent, just imagine how difficult it will be for the child to relay that message. Instead of using their children as messengers, parents should either deal directly with each other or through a mutually agreed upon adult.

- **Parents can keep their children out of the middle of adult issues by not asking them to report about what is going on in the life of the other parent.** Any time children are asked to divide their loyalty, or to betray one parent to another, the children feel guilty or as if they are being asked to stop loving one parent. It is certainly appropriate for parents to show interest in the lives of their children by asking "how was your weekend visit?" But, if the interest is not in the child or in how the child feels, the child will pick up on this and may eventually feel angry and used.
- **Parents can keep their children out of the middle of adult issues by not attacking or putting down the other parent.** Some parents find themselves so angry with the other parent that they vent their anger in front of their children. Other parents may say things to try to make themselves look good and the other parent look bad. Children identify with both parents. If one parent puts down the other parent, in the eyes of the child it is as if that parent is also putting down the child.

Establish a Workable Means of Communication

Parents can help their children by establishing a workable means of communicating with each other about their children. At first, some parents may find it difficult to separate their feelings about the relationship or the other parent from their need to give and receive information about the children. Parents can overcome this problem by communicating with each other about their children in a "business-like" manner. This may include agreeing about the time, place, and manner of their communication. It may also include establishing a list of topics and sticking to it.

Parents who are unable to talk to each other because of ongoing conflict, hostility, or issues of domestic violence, may find it easier to communicate by putting the information in writing or by communicating through a mutually-agreed upon adult. Except in cases where there is a Protection from Abuse Order or other court order prohibiting contact, parents should keep each other or a mutually agreed-upon third person advised of their home and work addresses and telephone numbers. In cases where there is a Protection from Abuse Order or other court order prohibiting contact, the parent must follow the order or ask the court to modify the order to permit communication regarding the children.

Resolve Conflict Quickly

Parents can help their children by cooperating with each other and by quickly resolving their conflict. Children whose parents are involved in ongoing conflict over parenting time, child support, or other issues may experience anger, anxiety, depression, or developmental delays. Parents may resolve conflict in a variety of ways, including consulting family members, religious leaders, mediators, the support enforcement agency, attorneys, or others. Parents may also wish to seek help for their children by consulting a child psychologist or by seeking services from a local social service agency. The court system maintains lists of local parent education programs and other services for divorcing, separating, and living apart families on its website.

Separate Parenting Time and Child Support

Parents can help their children by not withholding child support or parenting time. Children generally fare best when they have the emotional and financial support and ongoing involvement of both parents. A parent does not have a right to withhold parenting time or child support because of the other parent's failure to comply with court-ordered parenting time or support. In other words:

- The residential parent cannot withhold parenting time if the nonresidential parent fails to provide child support.
- The nonresidential parent cannot withhold child support if the residential parent fails to allow parenting time.

Rather than withholding parenting time or support, there are more productive, effective and, if need be, legal ways for parents to resolve support and parenting time issues. Parents experiencing conflict over parenting time or child support may wish to consult a mediator, attorney, or the Department of Health and Human Services, Division of Support Enforcement and Recovery.

Respect Parent-Child Relationships

Parents can help their children by respecting and supporting each child's relationship with the other parent. Unless agreed upon by both parents, parents should not plan activities for children that conflict with the other parent's scheduled time with the children. The time a parent is scheduled to spend with the children belongs to that parent and the children. The other parent should not interfere with this time. Parents can also help their children by adjusting the schedule to permit their children to participate in reasonable extracurricular activities.

Facilitate Transition from One Parent to the Other

Parents can help their children transition from one home to the other by understanding their children's anxieties and by assuring them that both parents will continue to love them and to be involved in their lives. Children commonly experience separation anxiety. This does not necessarily mean that the child has a poor relationship with either parent. For the child, it may be just like the divorce or separation is happening all over again. Children under age five generally do not understand the concept of time, such as hours, days, or weekends. Parents of young children can help them understand when the child will spend time with each parent by creating a calendar with different colors for each parent.

Encourage Telephone and Other Contact

Parents can help their children by calling and writing to them and by reasonably encouraging and assisting them to call and write to the other parent. Children do best when they are able to maintain contact with both parents. While parenting time is one way to maintain that contact, other ways include telephone calls, letters, e-mail, and other forms of communication. Telephone calls between parent and child should be permitted at reasonable hours and at the expense of the calling parent. Unless restricted by court order, parents have a right to send cards, letters, packages, e-mail, audiotapes, and videocassettes to their children. Children have the same right to send items to their parents. Parents should not interfere with these rights.

Establish Similar Household Routines

Parents can help their children by following similar routines for mealtime, bedtime, and homework time. Parents can also help their children by accepting that they have limited control over what happens in the other parent's home and by respecting the authority of the other parent. From a very young age, children learn that their parents have different parenting styles. Children can adjust to some differences in routines between their parents' homes. Developmentally, though, children cope better when there is general consistency between their parents' homes because it helps them have a sense of order.

Provide Child's Belongings

Parents can help their children transition between their parents' homes by sending along the children's important belongings, such as clothing, medicine, and equipment. Parents can also help their children by sending along personal objects, such as blankets, stuffed animals, photos, or memorabilia of the other parent.

Support Contact with Grandparents and Other Extended Family

Parents can help their children maintain important family ties by arranging for the children to visit their father's family when they are with their father, and by arranging for the children to visit their mother's family when they are with their mother. Children who have had loving relationships with their grandparents and other extended family members need to maintain those ties, otherwise they may experience a sense of loss.

Facilitate Temporary Schedule Adjustments

Parents can help their children by giving as much advance notice as possible when requesting a temporary adjustment to the parenting time schedule. Family emergencies, illness of a parent or child, or special events of a parent or child may require temporary adjustment to the parenting time schedule. Parents can help their children by scheduling an alternate parenting time to take place as soon as possible.

Accommodate Vacation Plans

Parents can help their children by understanding that it is important for each parent to vacation with their children. Parents can help their children by scheduling their vacation times so that they do not interfere with the other parent's time with the children or with the children's schedules. Vacation, whether during school breaks or during the summer, can be a time for parents and children to expand their relationship. Vacation is also important because it gives the other parent time off from the demands of parenting. Generally speaking, vacation time should take precedence over regular parenting time unless a court order or an agreement of the parents provides otherwise.

Establish a Routine for Picking Up and Dropping Off Child

Parents can help their children by agreeing on who will pick up and drop off the children and where this will take place. Parents can also help their children by having the children ready and by being on time. When picking up and dropping off children, it is important to avoid communication that may lead to conflict. Neither parent should enter the home of the other parent without permission. Parents should take all necessary safety precautions when transporting, picking up, and dropping off their children.

Parenting Time Suggestions

Generally

Children generally fare best when they have the emotional and financial support and ongoing involvement of both parents. Establishing a parenting time schedule is one way to ensure and foster that contact. **The child's needs are the key factors for parents to consider when establishing a parenting time schedule.** These needs change as the child grows older and moves from one developmental stage to the next. The developmental needs of an infant, for example, are different from those of a toddler or a teenager.

This section identifies key tasks that children normally accomplish at each stage of development before moving on to the next developmental stage. In considering these developmental tasks, it is important to always keep in mind that each child is unique, that all children do not progress at the same rate, and that "normal" development has a tremendous range at each age. Thus, some six-year-old children progress quickly and do what might be typical of an eight-year-old child, while other six-year-old children progress more slowly and do what might be typical of a five-year-old child.

This section also identifies parenting time suggestions that promote healthy development at each stage. Rather than rigidly applying these parenting time suggestions, parents are strongly encouraged to apply them in a way that best meets the specific developmental needs of each child. This may mean that parents establish different parenting time schedules for each of their children.

The child's developmental stage is only one factor parents should consider when deciding which parenting time arrangement is best for each child. Other factors parents need to consider when establishing a parenting time schedule include:

- Any special needs of the child and parents.
- The routines and schedules of the child and parents.
- Any mental health issues relating to the child or parents.
- Each parent's past caregiving history.
- The child's relationship with each parent.
- The child's relationship with grandparents and extended family members.
- The child's relationship with and any step-family members.
- The distance between parental homes.
- Whether the child's brothers and sisters will participate in the child's parenting time.
- The child's temperament and ability to make a calm transition between homes.
- The length of time that has passed since the separation or divorce.
- The ability of the parents to cooperate.
- The child's and parents' cultural and religious differences.
- Transportation and other costs related to parenting time.
- Any other factor(s) that will enable the child and nonresidential parent to maintain a child to parent relationship that is in the best interests of the child.

Infants and Toddlers (Birth - 2 1/2 Years)

Developmental Tasks

The primary developmental tasks of infants include establishing a sense of trust in their environment and the people around them, forming an effective attachment with at least one primary parent who consistently and promptly responds to their needs, becoming comfortable with others who interact with them, and making their needs known through crying or other signals. Infants and toddlers need frequent contact with both parents and they do not cope well with numerous changes to their schedules or routines. At approximately six months, a child begins to make strong distinctions between primary caregivers and others, which may result in the beginnings of separation anxiety. Parents of infants begin to bond with their children and to recognize their children's signals regarding their need for food, comfort, sleep, and nurturance.

As children grow from infants to toddlers, their developmental tasks include: an increasing sense of self-awareness, the beginnings of a sense of independence, the beginnings of speech development, and an increasing ability to provide self-comfort and self-regulation in sleeping, feeding, and toileting. In addition, the parent's process of bonding with the child continues as children grow into toddlers.

Parenting Time Considerations

Parents of infants should establish a parenting time schedule that is consistent, predictable, and routine in nature.

If the non-residential parent has not been involved in caregiving previously, short visits of several hours every few days will help

develop a mutually secure relationship, allowing the parent to master the tasks and sensitivity required to care for an infant. As caregiving skills are mastered and the parent-child bond strengthens, the plan may include longer days.

Non-residential parents of children this age, who have been active involved caregivers, may begin overnights, preferably in familiar surroundings. Overnights are more likely to be successful when parents have shared parental tasks prior to separation and communicate effectively about their baby.

To develop a healthy attachment to both parents, an infant should not be away from either parent for more than a few days. Many infants demonstrate a caregiver preference. Extended separation for the primary caregiver should be avoided.

As the child grows from infant to toddler and becomes more comfortable with separation from the residential parent, the duration of parenting time should increase. For parents who live far apart, the nonresidential parent of an infant or toddler should travel to the residential area of the residential parent. This may mean that parenting time takes place in the home of the residential parent or in a nearby location where the child feels comfortable.

What Parents Can Do to Help

Parents can help their infants and toddlers by:

- Establishing a consistent, predictable, and routine parenting time schedule.
- Interacting with the child in a location where the child feels secure and comfortable.

- Gradually increasing the duration of parenting time.
- Moving to overnight and extended parenting time only when the child is able to make a smooth transition between parental homes.
- Sending along personal objects, such as blankets, stuffed animals, and photos of the parent.
- A communication log is helpful to exchange information about eating, sleeping, diapering and any new developments.

Preschoolers (2½ - 5 Years)

Developmental Tasks

Preschoolers continue to increase their sense of individuality. They make significant gains in their verbal skills and become more likely to express their feelings. Preschoolers also develop a greater sense of curiosity and exploration, and increase their abilities to imagine and fantasize. Children at this developmental stage may think they are responsible for their parents' divorce or for their parents not living together. They fear abandonment and may fantasize that their parents will reunite. Their sense of security is affected by predictable and consistent routines.

Parenting Time Considerations

Routine and consistent parenting time schedules are very important. For parents who live far apart, it is usually best for the child if the nonresidential parent travels to the residential area of the other parent. This may mean that parenting time takes place in the home of the residential parent or in a nearby location where the child feels comfortable. During this stage, children may be comfortable with longer parenting time periods, including planned overnights assuming the parent and child are

developing a stronger bond and the child is not showing signs of undue stress.

Older preschoolers may be able to have additional overnights and lengthier parenting time. Assuming the child has an ongoing relationship with the nonresidential parent, vacation time may be appropriate. Weekend parenting time that is increased gradually may help preschoolers to make the transition to an extended vacation time. Transitions are easier if children bring with them personal objects, such as blankets, stuffed animals, photos, or memorabilia of the parent. Because preschoolers have improved verbal and comprehension skills, it is important for parents to avoid speaking disrespectfully about the other parent or about others in the home.

What Parents Can Do to Help

Parents can help their preschoolers by:

- Establishing a consistent, predictable, and routine parenting time schedule.
- Gradually increasing the length of parenting time, working up to overnights.
- Sending along personal objects, such as blankets, stuffed animals, and photos of the parent.
- Avoiding criticism about the other parent and others in the home.

Elementary School (5 - 12 Years)

Developmental Tasks

Elementary school age children are learning to develop relationships and cooperate with peers and adults. At this age, children establish foundations for academic and athletic skills. Self-esteem, self-worth, moral development, and personal security are issues for this age group. Elementary school age children identify with and model the activities of the parent who is the same sex as the child. Children also become aware of their parents as individuals, often fear the loss of parents, and feel sadness and anger because of their parents' divorce or separation. Self-blame, depression, and attempts to reunite parents are not uncommon in this age group. Children need parental assistance in learning organizational skills.

Parenting Time Considerations

While many elementary school age children benefit from a primary home base, children at this stage of development can also benefit from spending longer periods of time with their nonresidential parent, assuming that they have developed and maintained a close relationship with that parent. Children of this age may be comfortable being away from their residential parent on a regular basis for parenting time lasting two to three days and for longer periods during school breaks and summer vacation. The more time a child has spent with the nonresidential parent, the more comfortable the child will be spending time away from the child's home base. For younger children of this age group, frequent parenting time (at least once per week) with their nonresidential parent is desirable. As a child matures, longer parenting time with fewer transitions may be preferred.

What Parents Can Do to Help

Parents can help their elementary school age children by:

- Establishing and following a predictable parenting time routine.
- Gradually changing the frequency and increasing the duration of parenting time.
- Encouraging and assisting in phone and letter contact with the other parent.
- Avoiding criticism about the other parent and others in the home.
- Informing teachers of any stress the child is experiencing and getting help for school-related problems.
- Encouraging and assisting the child to maintain contact with school, friends, and extracurricular and community activities.

Adolescents (12 - 18 Years)***Developmental Tasks***

During the early stage of adolescence, children continue the process of establishing their identity and self-worth. Through this process, and with guidance from their parents, they establish a sense of self in relationship to the rules and regulations of society. Adolescents also begin the process of separating from their parents, during which they may mourn the loss of childhood, dependency, and protection within the family. During this stage, adolescents gain academic and/or athletic prowess, make and sustain friendships, continue the process of gender identification, and begin to explore intimate relationships.

During the later stages of adolescence, young adults continue the process of establishing their independence. They continue the development of loyal friendships, begin to develop a work ethic, and begin to develop aspirations. Young adults also continue the process of gender identification and management of sexual impulses. Adolescents need the support and involvement of both parents. Adolescents may be embarrassed or angry about their parents' relationship. They may begin to have doubts about their own relationships with family members and peers, causing them either to focus too much on relationships or to withdraw from relationships. Adolescents may also inappropriately act out by using drugs or by engaging in sex or other unhealthy behaviors to attain a sense of belonging.

Parenting Time Considerations

It is important for parents of adolescents to maintain the child's accessibility to school, peers, extracurricular and community activities from both homes. It is also important for each parent to consistently apply the family rules of their own household.

Adolescents may need to be with friends more than with their family and, therefore, may resist a rigid parenting time schedule.

Parents will need to exercise greater flexibility, adapted to the increasing ability of the child to take care of his or her own needs. There will also need to be greater flexibility adapted to the child's preferences -- an adolescent should not be forced to comply with a parenting time schedule about which the child had no input. To accomplish this, parents should consider the child's wishes and decide parenting time issues with the child.

Many adolescents benefit from a primary home base, with specific evenings, weekends, and activities at the other home scheduled on a regular and predictable basis. Other adolescents, however, may be comfortable spending equal time with each parent, including up to two weeks at each residence. Adolescents may be comfortable with one to three weekends of parenting time per month, depending upon the child's schedule, distance, and capacity to travel. The nonresidential parent should maintain contact with the child's teachers and attend the child's performances and other important events. Parents who live far apart should establish, with input from the child, a permanent schedule with some built-in flexibility.

What Parents Can Do to Help

Parents of adolescents can help by:

- Developing a parenting time schedule by working with the child;
- Establishing a predictable schedule that is flexible enough to allow for the child's activities;
- Consistently applying family rules and expectations; and
- Avoiding the assumption that a child's mood swings or behavioral acting out is caused by the other parent.

Conclusions

Unless special circumstances exist, children generally fare best when they have the emotional and financial support and ongoing involvement of both parents. The lack of involvement of one or both parents may lead to developmental problems later on in the child's life. Children adjust much better to crisis and loss if their parents work together to develop healthy ways of communicating, reducing conflict, and resolving problems. Parents can help their children adjust to separation from a parent by establishing a parenting time schedule that focuses on the needs of their children. Children's needs change as they grow older and move from one developmental phase to the next. For this reason, each parenting time schedule must be flexible, changing in duration and frequency as the child gets older and moves from one stage of development to the next. It is important for parents to remember that formation of a positive parent-child relationship is a life-long process, and that the key to a successful relationship is the quality of time, rather than quantity of time, spent together.

Legal information regarding parental rights and responsibilities may be found in the Maine Revised Statutes Annotated (Title 19-A M.R.S.A. § 1653). The statutes are available in law libraries, located in most county courthouses, can be found on line at <http://janus.state.me.us/legis/statutes/> or by calling the State Law and Legislative Reference Library, Augusta, Maine at 287-1600. Another useful website to visit is www.helpmelaw.org. Most community libraries have public internet access.